

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL L. POTTS, D.D.S., and) Case No.S:03-CV-00348 JAM-DAD
THE AMERICAN ACADEMY OF IMPLANT)
DENTISTRY,) **JUDGMENT**
)
Plaintiffs,)
)
v.)
)
BRIAN STIGER, in his Official)
Capacity as Director, California)
Department of Consumer Affairs,)
et al.,)
)
Defendants.)

Pursuant to Rules 58 and 65 of the Federal Rules of Civil Procedure ("FRCP"), and for the reasons stated in the Court's October 15, 2010 ruling granting Plaintiffs' motion under FRCP Rule 52(c) (see Transcript of Court's Ruling on Rule 52(c) Motion; Doc. #231), the Court orders, adjudges, and decrees:

1. The Court grants Plaintiff's request for declaratory relief and declares that section 651(h)(5)(A)" is unconstitutional both on its face and as applied to Plaintiffs Michael L. Potts, D.D.S. and The American Academy of Implant Dentistry;

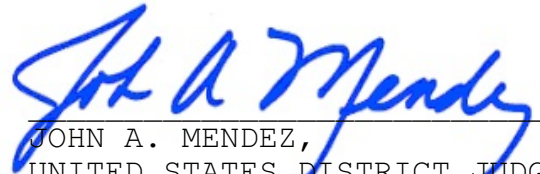
2. The Court grants Plaintiffs' request for injunctive

1 relief and permanently enjoins Defendants, and all persons under
2 the control or supervision of Defendants, from implementing,
3 applying, or otherwise enforcing the provisions of Section
4 651(h) (5) (A); and

5 3. The matter of attorneys' fees will be handled by motion
6 in accordance with Local Rule 293. See Second Amended Pretrial
7 order, at 16:18-21 (Doc. #207).

8 IT IS SO ORDERED.

9 DATED: November 18, 2010.



JOHN A. MENDEZ,
UNITED STATES DISTRICT JUDGE